

Certification Under 37 C.F.R. 1.8

Date of Mailing or Transmission: September 29, 2011, I hereby certify that I have caused the document indicated herein on the date indicated above to be transmitted via the Office electronic filing system in accordance with 37 C.F.R. Sec. 1.6(a)(4).

BY: /Vicki L. Andrews
signature

Name: Vicki L. Andrews
typed name

**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bye

Serial No: 10/780,146

Filing Date: February 27, 2004

Confirmation No. 3726

Title: Wireless Local Area Network Real-Time Quality Management

Examiner: Wayne Huu Cai

Art Group: 2617

Docket No: BP2970

**COMMUNICATION REGARDING RESPONSE TO RULE 312
COMMUNICATION**

Date: September 29, 2011

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On September 27, 2011, a Response to Rule 312 Communication was issued by the PTO in error. Melanie Murdock, a paralegal for Garlick Harrison & Markison, contacted Examiner Cai via telephone on September 29, 2011 and was advised that the document had been issued in error. Examiner Cai requested that a brief statement regarding this error be placed on file.

Due to the fact that Applicants most recently filed a Request for Examination, not an Amendment under Rule 312, it is respectfully requested that the September 27, 2011 communication be withdrawn.

RESPECTFULLY SUBMITTED,
By: /Holly L. Rudnick/ Reg. No. 43,065

Holly L. Rudnick
Garlick Harrison & Markison
P. O. Box 160727
Austin, TX 78716-0727
Phone: (214) 856-5372
Fax: (888) 332-2640
email: hrudnick@texaspatents.com